

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VENTURA RODRIGUEZ,

Plaintiff,

v.

KILOLO KIJAKAZI,
ACTING COMMISSIONER OF SOCIAL SECURITY,¹

Defendant.

1:20-CV-7640 (PAE-SDA)

**STIPULATION FOR ALLOWANCE OF FEES UNDER
THE EQUAL ACCESS TO JUSTICE ACT**

IT IS HEREBY STIPULATED by and between Joshua Lenard Kershner, Special Assistant United States Attorney, for Damian Williams, the United States Attorney for the Southern District of New York, attorneys for the Defendant herein, and Daniel Berger, Esq., attorney for the Plaintiff, that the Commissioner of Social Security pay to the Plaintiff attorney fees in the amount of eight thousand dollars (\$8,000.00), pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in full satisfaction of any and all claims under the EAJA. The attorney fees may be paid to Plaintiff's counsel if Plaintiff agrees to assign the fees to counsel, and provided that Plaintiff owes no debt to the Federal Government that is subject to offset under the U.S. Treasury Offset Program.

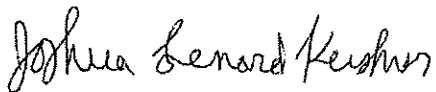
It is further agreed that Plaintiff is awarded costs under 28 U.S.C. § 1920 in the amount of zero dollars (\$0.00) as the case was filed *in forma pauperis*.

Dated: New York, New York, December 13, 2021


¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

DAMIAN WILLIAMS
United States Attorney
Attorney for the Defendant

DANIEL BERGER
Attorney for the Plaintiff



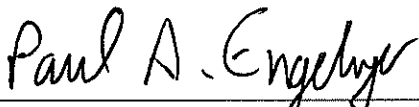
JOSHUA LENARD KERSHNER
Special Assistant United States Attorney
26 Federal Plaza, Room 3904
New York, NY 10278



DANIEL BERGER
NY Disability, LLC
1000 Grand Concourse, Suite 1-A
Bronx, NY 10451

The Clerk of the Court is respectfully directed to terminate the motion pending at Docket 20.

SO ORDERED:



UNITED STATES DISTRICT JUDGE
PAUL A. ENGELMAYER
December 17, 2021